

SENATE, No. 3568

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED DECEMBER 4, 2017

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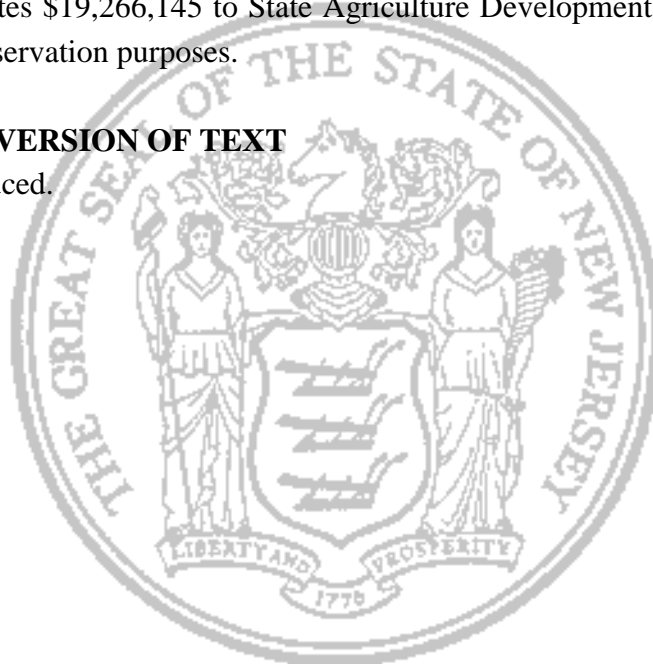
Assemblyman Space and Assemblywoman Downey

SYNOPSIS

Appropriates \$19,266,145 to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/9/2018)

1 AN ACT appropriating \$19,266,145 from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$15,470,085 in the following
10 subtotal amounts, listed in paragraphs (1) through (5) of this
11 subsection, to pay the cost of acquisition by the committee of
12 development easements on, or fee simple titles to, farmland, to
13 provide grants to counties and municipalities for up to 80 percent of
14 the cost of acquisition of fee simple titles to farmland, to provide
15 grants to qualifying tax-exempt non-profit organizations for up to
16 50 percent of the cost of acquisition of fee simple titles to farmland,
17 for farmland preservation purposes for projects approved as eligible
18 for such funding pursuant to the "Agricultural Retention and
19 Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.), the "Green
20 Acres, Farmland and Historic Preservation, and Blue Acres Bond
21 Act of 1995," P.L.1995, c.204, the "Garden State Preservation Trust
22 Act," P.L.1999, c.152 (C.13:8C-1 et seq.), the "Green Acres,
23 Farmland, Blue Acres, and Historic Preservation Bond Act of
24 2007," P.L.2007, c.119, the "Green Acres, Water Supply and
25 Floodplain Protection, and Farmland and Historic Preservation
26 Bond Act of 2009," P.L.2009, c.117, and the "Preserve New Jersey
27 Act," P.L.2016, c.12 (C.13:8C-43 et seq.):

28 (1) \$9,668,038 from dedicated corporation business tax
29 revenues pursuant to Article VIII, Section II, paragraph 6 of the
30 State Constitution in the "Preserve New Jersey Farmland
31 Preservation Fund," established pursuant to section 8 of the
32 "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), and the
33 unexpended balances in the Diesel Risk Mitigation Fund -
34 Constitutional Dedication account made available for this purpose
35 pursuant to the provisions of P.L.2017, c.99;

36 (2) \$772,768 of unappropriated balances from the "2009
37 Farmland Preservation Fund," established pursuant to section 18 of
38 the "Green Acres, Water Supply and Floodplain Protection, and
39 Farmland and Historic Preservation Bond Act of 2009," P.L.2009,
40 c.117;

41 (3) \$3,082,636 of unappropriated balances from the "2007
42 Farmland Preservation Fund," established pursuant to section 18 of
43 the "Green Acres, Farmland, Blue Acres, and Historic Preservation
44 Bond Act of 2007," P.L.2007, c.119;

45 (4) \$1,551,434 of unappropriated balances from the "Garden
46 State Farmland Preservation Fund," established pursuant to section
47 20 of P.L.1999, c.152 (C.13:8C-20); and

1 (5) \$395,209 from the “1995 Farmland Preservation Fund,”
2 established pursuant to section 25 of the “Green Acres, Farmland
3 and Historic Preservation, and Blue Acres Bond Act of 1995,”
4 P.L.1995, c.204.

5 b. Any farmland acquired in fee simple with monies
6 appropriated pursuant to this section shall be offered for resale or
7 lease with agricultural deed restrictions approved by the committee.
8

9 2. There is appropriated from the “Preserve New Jersey
10 Farmland Preservation Fund,” established pursuant to section 8 of
11 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
12 the “2009 Farmland Preservation Fund,” established pursuant to
13 section 18 of the “Green Acres, Water Supply and Floodplain
14 Protection, and Farmland and Historic Preservation Bond Act of
15 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
16 Fund,” established pursuant to section 18 of the “Green Acres,
17 Farmland, Blue Acres, and Historic Preservation Bond Act of
18 2007,” P.L.2007, c.119, from the “Garden State Farmland
19 Preservation Trust Fund,” established pursuant to section 20 of
20 P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,”
21 established pursuant to the “Open Space – Local Match Program of
22 the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45,
23 from the “1995 Farmland Preservation Fund,” established pursuant
24 to section 25 of the “Green Acres, Farmland and Historic
25 Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204,
26 from the “1992 Farmland Preservation Fund,” established pursuant
27 to section 24 of the “Green Acres, Clean Water, Farmland and
28 Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the
29 “1989 Farmland Preservation Fund,” established pursuant to section
30 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989,
31 c.183, and from the “Farmland Preservation Fund,” established
32 pursuant to section 5 of the “Farmland Preservation Bond Act of
33 1981,” P.L.1981, c.276, to the State Agriculture Development
34 Committee such sums from any additional proceeds which may
35 become available by the effective date of this act due to the lease or
36 conveyance of land or development easements acquired or funded
37 by the committee, for the purpose of providing for the cost of
38 acquisition by the committee of development easements and fee
39 simple titles to farmland for farmland preservation purposes
40 pursuant to subsection a. of section 1 of this act. Any farmland
41 acquired in fee simple with monies appropriated pursuant to this
42 section shall be offered for resale or lease with agricultural deed
43 restrictions approved by the committee.
44

45 3. There is appropriated from the “Preserve New Jersey
46 Farmland Preservation Fund,” established pursuant to section 8 of
47 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), to the
48 State Agriculture Development Committee the sum of \$696,060 for

1 the purpose of providing grants for stewardship activities as defined
2 pursuant to section 3 of P.L.2016, c.12 (C.13:8C-45), including soil
3 and water conservation project activities approved pursuant to
4 section 17 of P.L.1983, c.32 (C.4:1C-24) and deer-fencing activities
5 approved pursuant to section 5 of P.L.1983, c.32 (C.4:1C-5).

6
7 4. There is appropriated from the “Preserve New Jersey
8 Farmland Preservation Fund,” established pursuant to section 8 of
9 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), to the
10 State Agriculture Development Committee the sum of \$3,100,000
11 for the purpose of providing funding for organizational,
12 administrative and other work and services, including salaries,
13 equipment, materials, and services necessary to administer the
14 applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.).

15
16 5. There is appropriated from the General Fund to the
17 “Preserve New Jersey Farmland Preservation Fund,” established
18 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
19 c.12 (C.13:8C-50), the sum of \$10,822,098 to implement the
20 provisions of this act.

21
22 6. Of the monies appropriated pursuant to section 5 of
23 P.L.1999, c.35 from the “1995 Farmland Preservation Fund,”
24 established pursuant to section 25 of the “Green Acres, Farmland
25 and Historic Preservation, and Blue Acres Bond Act of 1995,”
26 P.L.1995, c.204, the sum of \$383,224 is made available for the
27 purposes of section 1 of this act due to the reallocation of
28 previously appropriated funds.

29
30 7. The expenditure of the sums approved by this act is subject
31 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
32 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
33 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
34 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
35 appropriate.

36
37 8. This act shall take effect immediately.

40 STATEMENT

41
42 This bill appropriates \$19,266,145 to the State Agriculture
43 Development Committee (SADC) for certain farmland preservation
44 purposes.

45 Specifically, this bill appropriates \$15,470,085 to the SADC to
46 pay the cost of acquisition by the SADC of development easements
47 on, or fee simple titles to, farmland, to provide grants to counties
48 and municipalities for up to 80 percent of the cost of acquisition of

1 fee simple titles to farmland, and to provide grants to qualifying tax
2 exempt nonprofit organizations for up to 50 percent of the cost of
3 acquisition of fee simple titles to farmland, for farmland
4 preservation purposes for projects approved as eligible for such
5 funding pursuant to: the “Agricultural Retention and Development
6 Act”; the “Green Acres, Farmland and Historic Preservation, and
7 Blue Acres Bond Act of 1995”; the “Garden State Preservation
8 Trust Act”; the “Green Acres, Farmland, Blue Acres, and Historic
9 Preservation Bond Act of 2007”; the “Green Acres, Water Supply
10 and Floodplain Protection, and Farmland and Historic Preservation
11 Bond Act of 2009”; and the “Preserve New Jersey Act.”

12 Of the \$15,470,085 provided in section 1 of the bill for the
13 acquisition of fee simple titles and development easements to
14 farmland: \$9,668,038 is from constitutionally dedicated
15 corporation business tax (CBT) revenues in the “Preserve New
16 Jersey Farmland Preservation Fund” established pursuant to the
17 “Preserve New Jersey Act” and from the unexpended balances in
18 the Diesel Risk Mitigation Fund - Constitutional Dedication
19 account made available for this purpose pursuant to the provisions
20 of the FY2018 annual appropriations act; \$772,768 is from
21 unappropriated balances in the “2009 Farmland Preservation Fund”
22 established pursuant to the “Green Acres, Water Supply and
23 Floodplain Protection, and Farmland and Historic Preservation
24 Bond Act of 2009”; \$3,082,636 is from unappropriated balances in
25 the “2007 Farmland Preservation Fund” established pursuant to the
26 “Green Acres, Farmland, Blue Acres, and Historic Preservation
27 Bond Act of 2007”; \$1,551,434 is from unappropriated balances in
28 the “Garden State Farmland Preservation Fund” established
29 pursuant to the “Garden State Preservation Trust Act”; and
30 \$395,209 is from the “1995 Farmland Preservation Fund”
31 established pursuant to the “Green Acres, Farmland and Historic
32 Preservation, and Blue Acres Bond Act of 1995.” Of this funding,
33 \$2,642,000 is from the unexpended balances in the Diesel Risk
34 Mitigation Fund.

35 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
36 seq.), implements for State fiscal years 2017 through 2019, the
37 constitutional dedication of CBT revenues for open space, farmland,
38 and historic preservation. The “Preserve New Jersey Farmland
39 Preservation Fund” was established pursuant to section 8 of the
40 “Preserve New Jersey Act.”

41 The bill also appropriates to the SADC such sums from any
42 additional proceeds which may become available by the effective
43 date of the bill due to the lease or conveyance of farmland
44 previously acquired in fee simple by the SADC, for the purpose of
45 providing for the cost of acquisition by the SADC of development
46 easements and fee simple titles to farmland for farmland
47 preservation purposes.

1 In addition, this bill appropriates \$696,060 from the “Preserve
2 New Jersey Farmland Preservation Fund” to the SADC for the
3 purpose of providing stewardship grants for activities, beyond
4 routine operation and maintenance, undertaken by landowners, or
5 farm operators as agents for landowners, to repair, restore, or
6 improve lands preserved for farmland preservation purposes,
7 including soil and water conservation project activities and deer-
8 fencing activities.

9 The appropriations in this bill for the acquisition of fee simple
10 titles and development easements to farmland and for stewardship
11 grants have been approved by the SADC and the Garden State
12 Preservation Trust.

13 Lastly, this bill appropriates \$3.1 million from the “Preserve
14 New Jersey Farmland Preservation Fund” to the SADC for
15 organizational, administrative and other work and services,
16 including salaries, equipment, materials, and services necessary to
17 administer the applicable provisions of the “Preserve New Jersey
18 Act.”